

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 37-72 are pending in the application. Applicants note that a Preliminary Amendment was filed on February 15, 2006 canceling claims 1-36 and replacing them with claims 37-72.

As claims 37-72 essentially correspond to claims 1-36, the Examiner's comments regarding claims 1-36 are addressed below with respect to claims 37-72.

Claim 64, which corresponds to original claim 28, depends from claim 63. Neither of these claims is a multiple dependent claim and thus consideration of claim 64 is respectfully requested.

As to the 35 USC §112, second paragraph rejections of claims 9 and 26, claim 9 corresponds to claim 45, which depends from claim 43 and does not depend from itself. As to claim 26, the phrase "or similar" is removed from claim 62. Accordingly, the 35 USC §112, second paragraph rejection should be withdrawn.

Claims 1-27 and 29-36 were rejected under 35 USC §102(b) as being anticipated by SKYBA 5,429,321. That rejection is respectfully traversed.

Independent claim 37 is amended and recites a channel adapted to receive one width at a time of the article positioned

therein. Claim 37 further recites that the supporting means includes a handle pivotally attached to the body and moveable in relation thereto enabling the storage device to pivot between a substantially vertical orientation to a substantially horizontal orientation.

The present inventor has realized the advantage of using a handle in that not only is the handle pivotal but the device is moveable. Thus, enabling greater ease of handling the storage apparatus and the handle also provides the user something to hold when the device is loaded to help with the increased weight of the device. The handle substantially remains in its vertically oriented position while as recited, the device is able to pivot between vertical and horizontal positions with respect to the handle.

SKYBA discloses a mounting bracket assembly 18 for mounting the device to a post or wall. SKYBA does not recognize the advantages of having a handle for the device. See also each of the claims of SKYBA which requires a bracket adapted to be attached to a supporting surface (wall).

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

Independent claim 71 is amended along the lines of claim 37 and the analysis above regarding claim 37 is equally

applicable to claim 71. The dependent claims are believed patentable at least for depending from an allowable independent claim. Independent claim 72 includes plural tines. SKYBA does not disclose this feature.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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